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May 6, 1991

William Tomayko
Pennsylvania Department of
Environmental Resources - Bureau Waste Management
90 East Union Street, 2nd floor
Wilkes-Barre, PA 18701

RE: Novak Sanitary Landfill, Allentown, Pennsylvania

Dear Mr. Tomayko:

This will confirm our conversation on the afternoon of May 3, 1991. In response to my inquiry set forth in my letter of April 17, 1991, you advised me that you will shortly be meeting with your colleagues from other section of DER, and your supervisor(s), in order to arrive at some conclusions as to how DER will handle the closure of the Novak Sanitary Landfill in Allentown. Upon the conduct of your meeting, you will advise Louis Novak of DER's position in response to Mr. Novak's request that you meet with him. I do not think that I will be representing NSL, Inc. in reference to future dealings with DER. By copy of this letter to Mr. Novak, I am requesting that he contact me in this regard.

In any event, I was pleased to hear that you share with me the desire that EPA and DER coordinate agendas with respect to remediation requirements at the Novak Sanitary Landfill site. I have spoke to Lisa Nichols of EPA about this matter, and she has assured me that EPA shares this desire and also wishes to meet with the appropriate representatives of DER so as to further this goal. I think that DER does need to hear from EPA that remediation efforts at the site pursuant to CERCLA will include measures that satisfy DER's closure requirements. While it may not be necessary for the lawyers representing the various interested parties to attend a meeting, I do encourage you and the other appropriate representatives of DER to meet with Ms.

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Nichols and the "technical representatives" of the EPA at your earliest possible convenience. I also suggest that it would be a good idea to include Mark Travers of de maximus, inc. in such a meeting. Mr. Travers is the Project Coordinator for the RI/FS being currently undertaken at the site.

Very truly yours,



Jonathan M. Petrakis

JMP/vh

cc: Hilda Novak
Lisa Nichols (EPA)
Mark Travers (de maximus)
David Farrington (Satterthwaite)
Martin Karess, Esquire
Lawrence Diamond, Esquire

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